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August 3, 2004

To: CBA/CCAD Assisted Living Residential Care (AL/RC) Agencies

Subject: Long Term Care (LTC)  
Information Letter No. 04-35  
Expanded Definition of an Attendant in the Community Based Alternatives (CBA) Assisted Living/Residential Care (AL/RC) and the Community Care for the Aged and Disabled (CCAD) Residential Care (RC) Programs to Include Drivers as Attendants

This letter is to inform all CBA AL/RC and CCAD RC providers of an amendment to the rules for the Attendant Compensation Rate Enhancement found at 1 Texas Administrative Code (TAC) §355.112 (b)(3). The amendment expands the definition of an attendant in the CBA AL/RC and CCAD RC programs to include drivers as attendants. This change in definition is also congruent with the definition of attendant found in §46.3(3) of 40 TAC (relating to Definitions) and §92.41(a)(2) of 40 TAC (relating to Standards for Type A, Type B, and Type E Assisted Living Facilities).

This change can help some CBA AL/RC and CCAD RC providers meet their spending requirements. This rule will apply to the attendant compensation rate enhancement report for the period September 1, 2003 to August 31, 2004 as well as attendant compensation reports beginning September 1, 2004 and thereafter.

If you have any questions regarding this letter, please contact Douglas K. Odle, Rate Analyst, at (512) 491-1374.

Sincerely,

Signature on file

Bettye M. Mitchell  
Deputy Commissioner  
Long Term Care

BMM:ck